

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

JOHN GRIGSON,

Plaintiff,

v.

No. 5:22-CV-040-H

ALLSTATE VEHICLE AND PROPERTY
INSURANCE COMPANY,

Defendant.

ORDER

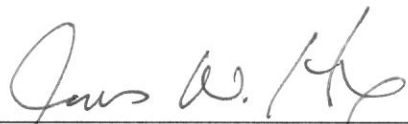
United States Magistrate Judge D. Gordon Bryant made Findings, Conclusions, and a Recommendation (FCR) regarding the plaintiff John Grigson's Motion to Remand (Dkt. No. 9) and the parties' Agreed Joint Motion to Remand (Dkt. No. 14). Dkt. No. 20. Judge Bryant recommended that the Court grant Grigson's motion, deny the parties' joint motion as moot, and remand the case to state court. *Id.* at 17.

Judge Bryant also made Findings, Conclusions, and a Recommendation regarding an award of attorneys' fees to Grigson incurred as a result of the defendant's removal. Dkt. No. 23. He recommended that the Court decline to award fees and costs under 28 U.S.C. § 1447(c). *Id.* at 9.

Where no specific objections are filed within 14 days after a party is served with a copy of the FCR, the Court must review the FCR only for plain error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996), *superseded by statute on other grounds*, 28 U.S.C. § 636(b)(1); *Serrano v. Customs & Border Patrol, U.S. Customs & Border Prot.*, 975 F.3d 488, 502 (5th Cir. 2020). No objections were filed to either FCR within the 14-day period.

The Court has examined the record and reviewed both FCRs for plain error. Finding none, the Court accepts and adopts the FCRs (Dkt. Nos. 20; 23). The Court grants Grigson's Motion to Remand (Dkt. No. 9), denies the parties' Agreed Joint Motion to Remand (Dkt. No. 14) as moot, and remands the case to the County Court at Law Number 3, Lubbock County, Texas. The Court also declines to award fees and costs under 28 U.S.C. § 1447(c).

So ordered on July 1, 2022.



JAMES WESLEY HENDRIX
UNITED STATES DISTRICT JUDGE

